

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**UNITED STATES OF AMERICA,**

**v.**

**Criminal Action No. 1:24-CR-42  
(Judge Kleeh)**

**STEVEN DAVID SEEGER,**

**Defendants.**

**UNITED STATES' RESPONSE IN OPPOSITION TO DEFENDANT SEEGER'S  
MOTION IN LIMINE (ECF 82) REGARDING U.S. AMENDED EXHIBIT LIST**

Comes now the United States of America and Randolph J. Bernard, Acting United States Attorney for the Northern District of West Virginia, by Assistant United States Attorney Kimberley Crockett, and files this response in opposition to defendant Seeger's Motion in Limine (ECF 82) regarding United States Amended Exhibit List, items 3, 3a, 3b, and 3c.

These specific exhibits are identified on the Amended Exhibit List by file name, bates number, and description. They clearly reference an audio recording between Steven Seeger and Officer Keith Lee, who is a Texas law enforcement officer. Additionally, the Government provided the exhibits to defense counsel, which should eliminate any confusion. There is no audio recording of a call between Officer Lee and Trooper Nicholson within discovery. Under Rule 801(d)(2) of the Rules of Evidence, the opposing party's statement made to Officer Lee is not hearsay.

For the foregoing reasons, the government respectfully requests that the Court deny the defendant's motions in limine.

RANDOLPH J. BERNARD  
ACTING UNITED STATES ATTORNEY

By: /s/ Kimberley Crockett  
Kimberley Crockett (WVSB 9335)

**CERTIFICATE OF SERVICE**

I, Kimberley Crockett, Assistant United States Attorney for the Northern District of West Virginia, hereby certify that on April 7, 2025, the foregoing *UNITED STATES' RESPONSE IN OPPOSITION TO DEFENDANT SEEGER'S MOTION IN LIMINE (ECF 82) REGARDING U.S. AMENDED EXHIBIT LIST* was filed with the Clerk of the Court using the CM/ECF system that sent notification to defense counsel.

RANDOLPH J. BERNARD  
ACTING UNITED STATES ATTORNEY

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